

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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IN REPLY REFER TO:

CC 92-77

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September 27, 1994

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Mr. Samuel J. Volkert
Sheriff
Stephenson County Jail
202 E. Exchange
Freeport, IL 61032

DOCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Sheriff Volkert:

Thank you for your letter which was forwarded to us by Congressman Manzullo regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

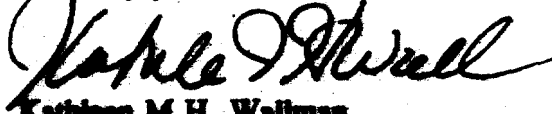
BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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Mr. Samuel J. Volpert
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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,



Kathleen M.H. Wallman
Chief
Common Carrier Bureau

cc: The Honorable Donald A. Manzullo

Enclosures

DONALD A. MANZULLO

18TH DISTRICT, ILLINOIS
808 CANNON BUILDING
WASHINGTON, DC 20515
202/225-8578

SMALL BUSINESS,
RURAL, REVENUE, ENERGY,
AND THE ENVIRONMENT

FOREIGN AFFAIRS
SECURITY POLICY, TRADE AND
ENVIRONMENT
INTERNATIONAL OPERATIONS

Congress of the United States
House of Representatives
Washington, DC 20515-1316

September 13, 1994

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OCA
92-77
4599

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street
Washington, D.C. 20554

Dear Chairman Hundt:

I have been contacted by Sheriff Samuel J. Volkert, a constituent from Freeport, Illinois, who is concerned about Billed Party Preference.

I have enclosed a copy of the original letter, and I would appreciate it if you could [REDACTED] answers the questions and concerns raised.

Thank you for your consideration of this matter.

Sincerely,

Donald A. Manzullo

Donald A. Manzullo
Member of Congress



OFFICE OF THE SHERIFF, Stephenson County

Samuel J. Volkert, Sheriff

Congressman Donald Manzullo
U.S. House of Representatives
Cannon House Office Building
Washington, D.C. 20515

RE: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Congressman Manzullo:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is capable of handling inmate calls and with whom we have a contractual relationship. We want our inmates to have open access to the telecommunications network and the freedom to use the carrier they please. BPP will take away our right to coordinate inmate calls through the carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We are very concerned that the FCC's solution, BPP, is a lack of responsibility is BPP. The proper and more effective action would be to set rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreased the efficiency of our staff. Please, do not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

Samuel J. Volkert, Sheriff
Stephenson County Jail
202 E. Exchange
Freeport, IL 61032